

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES – Commercial Taxes Department – Common Departmental Proceedings against Sri T.S. Vijaya Kumar, formerly Commercial Tax Officer, Piduguralla, presently Deputy Commissioner (CT) (Retd.) – Article of Charges Issued – Filed O.A. No.9454 of 2008 before the Hon'ble A.P. Administrative Tribunal – Implementation of the Orders of Hon'ble A.P. Administrative Tribunal - Release of Pensionary benefits – Orders – Issued.

REVENUE (VIG.I) DEPARTMENT

G.O. (Rt.) No. 865

Dt.04.07.2009.

Read the following:-

- 1) G.O. Rt. No.986, Revenue (Vig.I) Deptt., dt.01.05.2008.
- 2) APAT Orders, dt.05.03.2009 in O.A. No.9454/2008 filed by Sri T.S. Vijaya Kumar, DC (CT) (Retd.).
- 3) CCT's Lr. Ref. No.V1/1597/2007, dt.02.07.2009.

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ORDER:

Whereas in the G.O. 1st read above Article of Charges have been framed against Sri T.S. Vijaya Kumar, Deputy Commissioner (CT) (Retd.) stating that while he was working as Commercial Tax Officer, Piduguralla, Guntur-II Division during the years 1993 to 1994 and 1995 to 1996 has given effect to the orders of the Appellate Deputy Commissioner (CT), Guntur in case of M/s Udaya Bhanu Lime Village Industries Association, Piduguralla, without proper verification of the connected records and refunded the amount of Rs.2,18,306/- to Sri P. Veeraiah who is not related to the registered firm. Due to the above negligence of Sri T.S. Vijaya Kumar, the then Commercial Tax Officer, Piduguralla, there is a loss of revenue of Rs.2,18,306/- occurred to the Government exchequer.

2) Thus, Sri T.S. Vijaya Kumar, Deputy Commissioner (CT) (Retd.) by his above mentioned acts has exhibited lack of devotion to duty, conduct unbecoming of a Government servant and thereby contravened the Rule 3 of A.P.C.S. (Conduct) Rules, 1964.

3) Aggrieved by the above orders of Government, the individual has filed O.A. No.9454 of 2008 before A.P. Administrative Tribunal stating that he retired from Government service on 30.09.2006 and the charges were framed against him on 01.05.2008 nearly about more than two years from the date of his retirement for the incident taken place in the year 1991-1992 and 1993-94, i.e., more than 14 years from the date of retirement. The Hon'ble A.P. Administrative Tribunal in its interim orders, dt.05.03.2009 has suspended the orders of the Government dt.01.05.2008 and directed the respondents to release pension, pensionary benefits, gratuity and other benefits to which he is entitled to as per rules.

4) And whereas in the reference 3rd read above, the Commissioner of Commercial has requested the Government to communicate necessary orders on the above directions of A.P. Administrative Tribunal in O.A. No.9454 of 2008 filed by Sri T.S. Vijaya Kumar, Deputy Commissioner (CT) (Retd.).

5) Government have examined the entire issue carefully and noticed that the matter pertains to the years 1993-94 and whereas the Accused Officer retired from Government service on 30.09.2006 and the charges framed in G.O. Rt. No.986, Revenue (Vig.I) Department, dt.01.05.2008 are found against the provisions under rule 9(2) (b) of A.P. Revised Pension Rules, 1980. Since a period of more than four (4) years has elapsed from the date occurrence of the

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irregularity by the date of initiation of disciplinary case. Hence, it has been decided to drop further action against Sri T.S. Vijaya Kumar, Deputy Commissioner (CT) (Retd.) since it is not possible to take disciplinary action against him at this distance of time. Accordingly further action against Sri T.S. Vijaya Kumar, Deputy Commissioner (CT) (Retd.) is hereby dropped. The Commissioner of Commercial Taxes is therefore requested to release the pension, pensionary benefits, gratuity and other benefits to which he is entitled to as per rules.

6) Further, she is requested to recover the loss if any caused to the Government from Sri T.S. Vijaya Kumar, Deputy Commissioner (CT) (Retd.) as per the orders issued at para 5 of G.O. Rt. No.1097, Finance (FW-Pen.I) Department, dt.22.06.2000 and submit a compliance report to the Government at an early date.

(BY ORDER AND IN THE NAME OF GOVERNOR OF ANDHRA PRADESH)

ASUTHOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The individual through the Commissioner of Commercial Taxes,
A.P., Hyderabad.
The Commissioner of Commercial Taxes, A.P., Hyderabad.
Copy to:-
The Government Pleader for Revenue (Ser.),
A.P. Administrative Tribunal, Hyderabad.
The Accountant General, A.P., Hyderabad.
The Director of Treasuries & Accounts, A.P., Hyderabad.
The District Treasury Officer, Guntur.
File/SF/SCs.

// FORWARDED :: BY ORDER //

SECTION OFFICER